GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Commercial Tax Department - Case under the Prevention of Corruption Act, 1988 - allegation demand and acceptance of bribe against Smt. Roonanki Venkata Padmaja, then CTO, Steel Plant Circle, Visakhapatnam (AO-2) – Articles of charges framed for violation conduct rules 1964 – orders – Issued.

REVENUE (VIGILANCE-VI) DEPARTMENT

G.O.Rt.No.211 Dt: 21.02.2024

Read the following:

1. From DG, ACB. RC.No.55/RCT-WVP/2015-S.11, dt.04.05.2015.
2. From DG, ACB. RC.No.55/RCT-WVP/2015-S.11, dt.05.01.2023
3. Govt. Memo No.13189/Vig.II(3)/2015-2, dated 21.05.2019.
4. From CCST, Proc. Ref. No.V2/100/2017, dated 24.01.2023.
5. From DG, ACB. RC.No.55/RCT-WVP/2015-S.11, dt.20.02.2023
6. G.O.Ms.No.69, Revenue (VIGILANCE-VI) Department, Dated 24.01.2023.

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ORDER:

It is considered necessary to hold an enquiry against Smt. Roonanki Venkata Padmaja, then CTO, Steel Plant Circle, Visakhapatnam (AO-2), presently working as DC (ST) O/o GST AUDIT and Enforcement Regional Office, Visakhapatnam, in accordance with the procedure laid down in Rule 20 of the said rules on the allegation of violation of Conduct Rules, 1964.

2. The substance of the imputation of misconduct or mis-behavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Smt. Roonanki Venkata Padmaja, then CTO, Steel Plant Circle, Visakhapatnam (AO-2), presently working as DC (ST) O/o GST Audit and Enforcement Regional Office, Visakhapatnam, is directed to submit her written statement in defense within ten days from the date of receiving this order.

4. Smt. Roonanki Venkata Padmaja, then CTO, Steel Plant Circle, Visakhapatnam (AO-2), presently working as DC (ST) O/o GST AUDIT and Enforcement Regional Office, Visakhapatnam, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. She should, therefore, specifically admit or deny each article of charge.

(p.t.o)

5. Smt. Roonanki Venkata Padmaja, then CTO, Steel Plant Circle, Visakhapatnam (AO-2), presently working as DC (ST) O/o GST AUDIT and Enforcement Regional Office, Visakhapatnam, is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

N. GULZAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Smt. Roonanki Venkata Padmaja, then CTO, Steel Plant Circle, Visakhapatnam (AO-2), presently working as DC (ST) O/o GST AUDIT and Enforcement Regional Office, Visakhapatnam (w.e, Annexures-I to IV) through the Chief Commissioner of State Tax, AP, Vijayawada (with a request to serve the order on the individual and send the served copy with dated acknowledgment to Government **within a week days)**.

Copy to
The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR,Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.
The Chief Commissioner of State Tax, AP, Vijayawada.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

(Contd., Page.3)

ANNEXURE –I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SMT. RONANKI VENKATA PADMAJA, WORKED AS CTO, STEELPLANT CIRCLE, VISAKHAPATNAM.

That Smt. Ronanki Venkata Padmaja, worked as CTO, Steel plant circle, Visakhapatnam (hereinafter referred as Government Servant) while functioning as such during the period from 17.11.2014 to 04.05.2015 (till the date of trap) committed grave misconduct in as much as:

ARTCILE:

That the Government Servant signed on the requisition without note file and verifying the cheques for release of the seized goods which were deposited in the District Treasury Strong Room.

Thus Smt. Ronanki Venkata Padmaja, W/o Boddepalli Vishnu, Commercial Tax Officer, by her above mentioned act exhibited lack of devotion to duty, failed to maintain integrity, behaved in a manner unbecoming of a Government Servant and brought down the prestige of the Government and there by violated/contravened Rules 3(1) & 3(2) (3) of APCS (conduct) Rules,1964.

//FORWARDED:: BY ORDER//

SECTION OFFICER

(p.t.o)

ANNEXURE -II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SMT. RONANKI VENKATA PADMAJA, WORKED AS CTO, STEEL PLANT CIRCLE, VISAKHAPATNAM

Smt. Ronanki Venkata Padmaja W/o.Boddepalli Vishnu, Commercial Tax Officer is a native of Srikakulam. Her date of birth is 05.10.1981. She was entered into Government service on 22.08.2009 as Commercial Tax Officer and she worked as such at Steel Plant Circle, Visakhapatnam from up to 04.05.2015 (till the date of trap). She is due to retire on attaining the age of superannuation on 31.10.2043. She is hereinafter referred to as Government Servant (G.S).

CHARGE:

That the Government Servant signed on the requisition without note file and verifying the cheques for release of the seized goods which were deposited in the District Treasury Strong Room.

FACTS AND EVIDENCE

That on 03.05.2015 at 09:00 hours the complainant Sri Maroju Srinivas, S/o Achari, Proprietor of Sri Srinivas Jewelry, Town Kotha Road Junction, Visakhapatnam went to the office of the DSP, ACB, Visakhapatnam and presented a written complaint, stating that Sri Kamala Rao, Deputy Commercial Tax Officer-II (DCTO-II), O/o Commercial Tax Officer, Steel Plant Circle, Visakhapatnam City had demanded bribe amount of Rs.3,00,000/- on 07.02.2015 and later reduced it to Rs.1,50,000/- from the complainant on 30.04.2015 to process the file and issue favourable inspection/ assessment order of M/s Sri Srinivas Jewelry.

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That after observing all legal formalities, the DSP, ACB, Visakhapatnam Range registered the report of the complainant as a case in Cr. No.9/RCT-VSP/2015 U/s 7of PC Act 1988 on 04.05.2015 at about 05:00 hrs and took up investigation.

On 04.05.2015, the DSP, ACB, Visakhapatnam Range secured the presence of two respectable mediators i.e., Ketha Ravi S/o Venkata Ramana, 43 years, Mandal Agricultural Officer, Munagapaka Mandal, Visakhapatnam District, R/o Plot No.145, D.No.1-58-7/1, Sector-2, MVP Colony, Visakhapatnam and Oyiboina Appa Rao, S/o Suryanarayana, 54 years, Junior Assistant, O/o Joint Director, Agriculture, VSP R/o D.No.9-7-68, Sivajipalem, Ammavaraiveedi, LB Colony, Post, Visakhapatnam secured the presence of the complainant.

The DSP, ACB, Visakhapatnam conducted pre-trap proceedings from 05.30 am to 07.30am on 04.05.2015, which was reduced into writing by the mediators as pre-trap proceedings, serial numbers of the currency notes, the demonstration of chemical tests, and the instructions issued to the complainant and other members of the trap party.

On 04.05.2015 at 08:15hrs, Sri Pamula Kamala Rao, Deputy Commercial Tax Officer-II (DCTO-II), was successfully trapped at his residence near Goddess Rajarajeswari Temple, MVP Colony, Visakhapatnam by the ACB officials when he further demanded and accepted the bribe amount of Rs.1,50,000/- from the complainant for showing the above said official favour. The chemical test was conducted on both hand fingers of Sri P.Kamalarao DCTO-II and also the portion of the bed sheet which came into contact with tainted currency notes yielded a positive result. The serial numbers of the recovered currency notes were tallied with the serial numbers of the currency notes mentioned in the pre-trap proceedings.

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The DSP secured the resultant solutions in the three separate bottles, and the tainted currency notes are seized under the cover of the mediator's report. The DSP also seized a sample of sodium carbonate powder used in the chemical test under cover of the mediators report.

During Post-trap proceedings, DSP, ACB questioned Sri P.Kamalarao DCTO-II about the file pertaining to official favour for which he informed that the file is available at his office room situated at CBM Compound, Visakhapatnam. On the instructions of the DSP, ACB, Sri S.Ramakrishna, Inspector, ACB went to the office of CTO, Steel Plant Circle, Visakhapatnam and returned along with the Government Servant and file pertaining to the official favour and produced the following records under cover of Mediators report, secure from the office of the DSP perused the files and the details are as follows:

1. An Audit file vide General Registration Number Number (GRN) No.VSP/0/1352 in favour of M/s Sri Srinivas Jewellers 15 Town Kotha Road, Visakhapatnam consisting of
2. Form ADM 1-B No.20150128013921352, dtd.28.01.2015,
3. Visit report along with Stock particulars given by Sri M.Srinivas, Proprietor,
4. Notification seizure of goods dtd. 07.02.2015 of DCTO,
5. Safe custody article receipt No.73/14-15, dtd.09.02.2015,
6. Computer generated sales ledger, purchase ledger, IT returns of M/s Srinivas Jewellers and
7. Order of release of goods, dtd.07.03.2015 of DCTO and authorization for assessment etc., containing 1 to 312 pages.
8. Two blank cheques issued in favour of CTO, Kurapam Market obtained from the complainant by the AO- 2 Nos.
9. A file relating to the computer-generated pending audit result statement in which M/s Sri Srinivas Jewellers was at Sl.No.16 contains 1 to 2 sheets.
10. Attendance register - 2015 maintained from 01.01.2015 to 04.05.2015 1 book
11. Casual Leave register: It is maintained from 01.012014 to 04.05.2015. The AO availed three days of C.L. from 03.02.2015 to 05.02.2015.
12. An issue Voucher book of M/s Sri Srinivas Jewellers containing 1 to 50 sheets of which 11 sheets were used.

(Contd., Page.7)

The DSP seized the above files duly attested by the mediators and himself for the purpose of further investigation.

During the course of the investigation, Sri Kaka Nagendra, Deputy Commissioner, Commercial Taxes, Visakhapatnam stated that on 05.03.2015, the DCTO-II had approached the Government Servant and made her to believe that cheques (which are in blank) were collected from the complainant towards 1% tax of seized property, Government Servant signed on the requisition for release of the seized goods which were deposited in the District Treasury Strong Room. On 04.05.2015 as seen from the file pertaining to the official favour, Government Servant found the cheques purported for the release of seized property are blank cheques and Sri P. Kamalarao, DCTO-II mislead the Government Servant and got released the seized gold and silver articles of M/s Sri Srinivas Jewellers.

Hence the charge against the Government Servant that she signed on the requisition without note file and verifying the cheques for release of the seized goods which were deposited in the District Treasury Strong Room is held substantiated.

Thus Government Servant by her above-mentioned acts has exhibited a lack of integrity, devotion to duty and conduct unbecoming of a Government servant and brought down the prestige of the Government and thereby violated/contravened Rule 3(1) & (2) of A.P. Civil Services (Conduct) Rules, 1964.

Thus, the Government Servant Smt. Ronanki Venkata Padmaja W/o Boddepalli Vishnu, the then Commercial Tax Officer, Steel Plant Circle, Visakhapatnam City rendered herself for Regular Departmental Enquiry for major penalty under Rule 20 of APCS (CC&A) Rules, 1991.

//FORWARDED:: BY ORDER//

SECTION OFFICER

(p.t.o)

ANNEXURE – III

ORAL EVIDENCE:

1. Sri Maroju Srinivas, S/o Achari, Proprietor of Sri Srinivas Jewelry, Town Kotha Road Junction, Visakhapatnam He speaks about the demand and acceptance of bribe by Sri Pamula Kamala Rao, Deputy Commercial Tax Officer-II (DCTO-II), his report dated. 03.05.2015 given to the DSP, ACB, Pre & Post Trap proceedings dated. 04.05.2015 etc facts.

2. Ketha Ravi S/o VenkataRamana, 43 years, Mandal Agricultural Officer, Munagapaka Mandal, Visakhapatnam District, R/o Plot No.145, D.No.1-58-7/1, Sector-2, MVP Colony, Visakhapatnam
3. Oyiboina Appa Rao, S/o Suryanarayana, 54 years, Junior Assistant, O/o Joint Director, Agriculture, VSP R/o D.No.9-7-68, Sivajipalem, Ammavaraiveedi, LB Colony, Post, VisakhapatnamThey are the mediators and speak about their presence at the time of Pre & Post Trap proceedings on 04.05.2015 and its contents thereon and etc., facts.

4. Sri Kaka Nagendra, Deputy Commissioner, Commercial Taxes, VisakhapatnamHe speaks about his verification of the official favour file, findings on the lapse on the part of the Government Servant in following the due procedure, etc, facts.

5. Sri M.Sudhakara Rao, Joint Commissioner (ST), KakinadaHe speaks about the service particulars of the Government Servant

6. Sri K.V.Ramakrishna Prasad, DSP ACB VisakhapatnamHe is the Trap laying officer and speaks about registration of FIR and investigation and etc., facts.

7. Sri M.V.Ganesh, Inspector of Police, Anti-Corruption Bureau, VisakhapatnamHe is the investigating officer and speaks about conducting further investigation and etc., and facts.

8. Any other witness to be mentioned at the time of Inquiry.

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SECTION OFFICER

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ANNEXURE –IV

DOCUMENTARY EVIDENCE:-

1. Complaint dated.03.05.2015 given by the complainant.
   It reveals the facts of the demand of the bribe amount of Rs.3,00,000/- on 07.02.2015 and later reduced to Rs.1,50,000/- on 30.04.2015 by the AO for doingan official favour pending with him.

2. FIR in Cr.No.9/RCT-VSP/2015, dated.04.05.2015 of ACB, Visakhapatnam.

   It reveals that a report was received from the complainant with regard to the demand for a bribe and registration of the case against the Government Servant.

3. **Mediators Report-I:** It reveals pre-trap happenings, dated 04.05.2015 at the office of DSP, ACB, Visakhapatnam
4. **Mediators Report-II:**It reveals post-trap happenings, dated 04.05.2015 at the scene of offence.
5. **Statement** of Kaka Nagendra, Dy. Commissioner, Commercial Taxes, Visakhapatnam

   Verification of the official favour file, findings on the lapse on the part of Government Servant in following the procedure laid down in Rule 53 (2) of AP VAT Act, 2005.

6. **Made-up file** containing:

7. An Audit file vide General Registration Number (GRN) No.VSP/0/1352 in favour of M/s Sri Srinivas Jewellers 15 Town Kotha Road, Visakhapatnam consisting of 1) Form ADM 1-B No.20150128013921352, dtd.28.01.2015, 2) Visit report along with Stock particulars given by Sri M.Srinivas, Proprietor, 3) Notification seizure of goods dtd. 07.02.2015 of DCTO, 4) Safe custody article receipt No.73/14-15, dtd.09.02.2015, 5) Computer generated sales ledger, purchase ledger, IT returns of M/s Srinivasa Jewellers and 6) Order of release of goods, dtd.07.03.2015 of DCTO and authorization for assessment etc., containing 1 to 312 pages.

8. Two blank cheques issued in favour of CTO, Kurapam Market obtained from the complainant by the AO- 2 Nos.

(p.t.o)

9. A file relating to computer generated pending audit result statement in which M/s Sri Srinivasa Jewellers was at Sl.No.16 containing 1 to 2 sheets.
10. An issue Voucher book of M/s Sri Srinivasa Jewellers containing 1 to 50 sheets of which 11 sheets were used.
11. **Ref P1/83/2018. Dt.20.04.2022** of Sri M.Sudhakara Rao, Joint Commissioner (ST), Kakinada to prove the service particulars of the Government Servant
12. **Any other documents** to be mentioned at the time of enquiry

//FORWARDED:: BY ORDER//

K. Sreenu

SECTION OFFICER